

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

FINLEY ALEXANDER WEALTH
MANAGEMENT, LLC,, *et al.*,

Plaintiffs,

v.

M&O MARKETING, INC., *et al.*,

Defendants.

Civil No. 19-1312 PJM

MEMORANDUM OPINION & ORDER

To: Counsel of Record

From: Judge Peter J. Messitte

Re: Plaintiffs' Motion for Additional Discovery Relating to Each Defendant's Financial Status (ECF No. 215)

Date: May 2, 2024

At the pretrial conference held on March 26, 2024, the Court indicated that it might be inclined to permit additional discovery into Defendants' financial statuses for purposes of substantiating Plaintiffs' possible punitive damages claims. Plaintiffs have filed a Motion for Additional Discovery Relating to Each Defendant's Financial Status (ECF No. 215), Defendants have opposed (ECF Nos. 221, 222), and Plaintiffs have replied (ECF No. 223). The Court **GRANTS** Plaintiffs' Motion with significant limitations.

First, it remains to be seen whether Plaintiffs will be permitted to argue or otherwise go forward with the punitive damages claims.

Second, Plaintiffs will not be permitted to unleash on Defendants a deluge of discovery requests, given that there is a colorable argument that they have already exceeded the allowable number of requests.

Third, the Court **WILL** permit Plaintiffs (collectively) to issue up to five (5) interrogatories to each Defendant, inquiring as to the Defendant's *current* financial status, and Plaintiffs (collectively) may also request up to three (3) documents for each Defendant (e.g., recent tax returns, financial statements, credit applications).

Fourth, the interrogatories and document requests **SHALL** be sent to each Defendant within thirty (30) days of this Order, and each Defendant **SHALL** have thirty (30) days thereafter to respond and to produce any requested documents.

Fifth, all interrogatory requests, responses, and documents produced **SHALL**, if filed, be kept **UNDER SEAL** and are to be designated for **Plaintiff's counsel's eyes only**. They **SHALL NOT**, without leave of court, be shared with anyone else, including Plaintiffs.

Sixth, none of the foregoing interrogatory answers or documents may be copied by Plaintiff's counsel and the answers and documents **SHALL** be returned to counsel for each Defendant at the close of the case.

SO ORDERED this 2 day of May, 2024



PETER J. MESSITTE
U.S. District Judge